

Serial No. 10/713,271
Amendment dated February 3, 2005
Reply to Office Action of October 5, 2004

Docket No. K-0550

REMARKS/ARGUMENTS

Claims 1-31 are pending. By this Amendment, claims 1, 5, 21, 24 and 27 are amended.
No new matter has been added.

Claims 1 and 21 are amended to clarify the claimed subject matter and support for the amendment is found in the drawings. Claim 21 is also amended for consistency of claimed terms. Claim 24 is amended to revise antecedent basis resulting from an amendment to claim 21. Claim 5 is amended to correct a typographical error. Claim 27 is amended to provide sufficient antecedent basis for a claimed feature.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance (for the reasons discussed herein); (2) do not raise any new issues requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution without incorporating additional subject matter); (3) satisfy a requirement of form asserted in the previous Office Action; and/or (4) place the application in better form for appeal (if necessary). Entry is thus requested.

The indication in the Office Action that claims 17 and 20 recite allowable subject matter is acknowledged.

An Information Disclosure Statement with a form PTO-1449 was filed on July 6, 2004. The Applicants have yet to receive back from the Examiner a signed copy of the form PTO-

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1449 acknowledging the consideration of the references submitted. The Examiner is requested to return a signed and initialed copy of the subject form PTO-1449 to the undersigned.

For the reasons discussed below, Applicants request reconsideration.

I. FORMAL MATTERS

On page 2, item 2 of the Office Action, claims 27 and 31 are rejected to for containing claim terms without proper antecedent basis. Claim 27 is amended to obviate this objection. The Amendment to claim 21 addresses the objection with respect to claim 31. Withdrawal of the objection to claims 27 and 31 is respectfully requested.

II. REPLY TO REJECTIONS

The Office Action rejects claims 1, 2, 8-10, 15, 16, 18, 19, 21-24 and 30 under 35 U.S.C. § 102(b) over JP 63-127026 to Sakurai; and claims 3-7, 11-14, 25-29 and 31 under 35 U.S.C. § 103(a) over Sakurai, in view of U.S. Patent No. 5,814,793 to Yu. The rejections are respectfully traversed.

Claim 1 calls for a microwave oven, comprising a fan positioned above the second transformer for drawing external air into the inner case via the first and second transformers, and an air duct positioned at least partially between the first and second transformers so that the air duct is at least partially interposed between the transformers. Claim 21 calls for a microwave

oven, comprising a fan apparatus positioned adjacent one of the first and second transformers and configured to draw external air into the inner case via the first and second transformers, and an air duct positioned at least partially between the first and second transformers so that the air duct is at least partially interposed between the transformers, the air duct having one end in communication with the fan apparatus and the other branched to form first and second branch ducts.

Sakurai discloses a microwave oven 1 which has two fans 7, 17 drawing air through a suction port 15. The centrifugal fan 7 sucks the air through a first high voltage transformer 9 so that the sucked air cools the first and second magnetrons 5,6 before exiting through exhaust ports 13 and 14a. On the other hand, the propeller fan 17 sucks the air that first passes through the high voltage transformer 9 towards the second high voltage transformer 10 so that the sucked air exits through the exhaust port 14b. That is, the stream of air sucked by the centrifugal fan 7 and the stream of air sucked by propeller fan 17 have different air flow passages and the stream of air entering the centrifugal fan 7 does not pass through the second high voltage transformer 10.

Additionally, Sakurai discloses that a branched air guide 8 guides air sucked through a suction port 15 to a first magnetron 5 and a second magnetron 6. The branched air guide 8 is positioned above the two high voltage transformers 9 and 10. As shown in Sakurai, instead of the air guide 8, a fan heater 18 and a propeller fan 17 are positioned between the two high

voltage transformers 9 and 10. Therefore, the branched air guide 8 is not positioned as to be interposed between the two high voltage transformers 9 and 10. (Fig. 2, Abstract).

Yu does not disclose or suggest the above deficiencies of Sakurai. Instead, Yu discloses a microwave oven having a cooking cabinet 11 with structures mounted to the side of the cooking cavity 11 like a plurality of air inlet holes 11a formed on the casing bottom toward the front, an air guide wall 15 acting as a barrier, a fan 14 formed in the air guide wall 15, a single transformer 13 formed behind the air guide wall 15, and a single magnetron 12 (Fig. 3 of Yu).

In view of the above disclosures of Sakurai and Yu, it is clear neither disclose or suggest a fan apparatus configured to draw external air into the inner case via the first and second transformers, or an air duct positioned at least partially between the first and second transformers so that the air duct is at least partially interposed between the transformers, as called for in claims 1 and 21.

As a result, claims 1 and 21 are patentable over the applied references either taken alone or in combination. Claims 2 and 5-20, which depend from claim 1, and claims 22-29 and 31, which depend from claim 21, are likewise patentable over the applied references or their combination for at least the reason discussed above and for the additional features they recite. Withdrawal of the rejections is respectfully requested.

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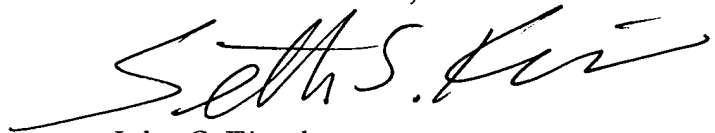
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III. CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, SETH S. KIM, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP

A handwritten signature in black ink, appearing to read "John C. Eisenhart".

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